

POSTED 3/19/2010
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MINUTES
VERNON TOWN COUNCIL REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

RECEIVED
VERNON TOWN CLERK
10 MAR 19 AM 9:05

March 16, 2010 - 7:00 PM

Mayor Jason L. McCoy called the meeting to order at 7:00 PM

A) PLEDGE OF ALLEGIANCE:

B) ROLL CALL:

Present: Council Members Bill Campbell, Daniel Champagne, Mark Etre, Marie Herbst, James Krupienski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Harry D. Thomas, Michael A. Winkler

Absent: Daniel Anderson, Judy Hany

Entered During Meeting:

Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

C) CITIZEN'S FORUM

Sue Perry, 26 Emma Lane, spoke about 670 Dart Hill Road. Has concerns that the Planning and Zoning Committee will approve the site plan modification without public input.

Citizen's forum closed at 7:06 PM

D) PUBLIC HEARINGS (RECESSED PUBLIC HEARING)

Mayor McCoy called the recessed public hearing to order to receive comments and answer any questions from the public.

Public comments:

No public comments

Close Public Hearing (7:07 PM)

Mayor McCoy closed the recessed public hearing.

E) Presentations by the administration

1. Mayor Jason L. McCoy to address the Town Council on the Town of Vernon proposed budget for 2010-2011.

Mayor McCoy spoke about the upcoming budget to be discussed during Town Council budget meetings and presented a summary. He asked the Town Council Members and citizens to support the budget.

2. Mayor Jason L. McCoy to discuss various topics and items of interest with the Town Council.

Mayor McCoy spoke about the following topics:

- Construction began on the fiber optic
- Animal Control crematorium moving forward.
- Demand notices went out from the collector of revenue

- New electronic registry program may bring issues with less funding to towns. If questions, speak to Bernice.
- Lock in at RHS on 2/5 was a success 250 kids participated in drug free activities
- Board of assessors appeals hearings taking place on March 22, 23, and 24 4:30 – 7:00 PM reviewing reevaluation
- Refuse side loaders are in
- Recycling up at HS
- Pre-negotiated contracts for cleaning and refurbishing.
- Department heads are reviewing materials from health insurance companies to help with reductions
- Additional agenda item regarding a church to rent Talcottville School
- Phase II Prospect Street bid opens on March 30th
- Roosevelt Mills grand opening taking place on 3/30
- River Street Bridget due to be completed by April 1, 2011
- Spring Street bridge due to be completed July 2010
- Hatch Hill Road scheduled to be finished October 2010
- ARRA funding for Talcottville enhancements There is a delay on the Phoenix Street bridge – a diversion permit is needed
- Planning and Zoning approved Spring Hill Suites
- 163 calls before you dig requests
- Prospect Street Phase II review of sanitary sewers man hole covers
- Parks & Recreation Dept. completed maintenance
- Summer camping registration is coming up, pool passes are on sale
- Fire Marshall inspected 50 facilities and issued 40 violations to 7 facilities.
- The legal notice for the budget hearings advertised today had typo: it stated the March 27th meeting starts at 10:00 PM

F.) ACTION ON CONSENT AGENDA

Council Member Motola, seconded by Council Member Champagne made a motion to approve the consent agenda items as presented. Council Member Herbst requested to pull consent agenda item #'s 2 and 7 for discussion. Motion carried unanimously to approve the consent agenda items 1, 3, 4, 5, 6, 8, 9, 10 as presented.

- C 1.** **Request for Tax Refunds for the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated March 5, 2010 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) TAX REFUND IN THE AMOUNT OF \$55.98 FOR PRIOR YEAR AND REFUNDS TOTALLING \$8758.74, FOR TAX REFUNDS FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED MARCH 5, 2010.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the request for tax refunds for the current year. Motion carried unanimously.

- C 3.** **Request the Town Council approve the Mayor's reappointment of Theresa Battaglio (D), 655 Talcottville Road, Unit 35, Vernon, Connecticut as an alternate member of the Historic Properties Commission for a term to commence on 04-04-**

2010 and end on 04-03-2013. (A copy of Ms. Battaglio's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF THERESA BATTAGLIO (D), 655 TALCOTTVILLE ROAD, UNIT 35, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON 04-04-2010 AND END ON 04-03-2013.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the Mayor's reappointment of Theresa Battaglio as an alternate member of the Historic Properties commission for a term to commence on April 4, 2010 through April 3, 2013. Motion carried unanimously.

- C 4. Request the Town Council approve the Mayor's reappointment of Melissa S. Saucier, (R), 84 Frederic Road, Vernon, Connecticut as a regular member of the Historic Properties Commission for a term to commence on 04-04-2010 and end on 04-03-2015.** (A copy of Ms. Saucier's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF MELISSA S. SAUCIER, (R), 84 FREDERIC ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON 04-04-2010 AND END ON 04-03-2015.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the Mayor's reappointment of Melissa S. Saucier as a regular member of the Historic Properties Commission for a term to commence on April 4, 2010 through April 3, 2015. Motion carried unanimously.

- C 5. Request the Town Council approve the Mayor's appointment of Carol S. Nelson, (R), 419 Lady Bug Lane, Vernon, Connecticut as an alternate member of the Historic Properties Commission for a term to commence on 04-04-2010 and end on 04-03-2011.** (A copy of Ms. Nelson's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF CAROL S. NELSON, (R), 419 LADY BUG LANE, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON 04-04-2010 AND END ON 04-03-2011.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the Mayor's appointment of Carol S. Nelson as an alternate member of the Historic Properties Commission for a term of April 4, 2010 through April 3, 2011. Motion carried unanimously.

- C 6. Request the Town Council authorize the Mayor Jason L. McCoy to sign the ARRA – Talcottville Improvements Agreement for the construction, inspection and maintenance of the Talcottville enhancements.** (See a memorandum from John D.

Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated March 8, 2010.)

PROPOSED RESOLUTION:

BE IT RESOLVED THAT MAYOR JASON L. MCCOY BE AND HEREBY IS AUTHORIZED TO SIGN THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE TALCOTTVILLE ENHANCEMENTS UTILIZING FEDERAL FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 PUBLIC LAW 111-5".

Council Member Motola, seconded by Council Member Champagne made the above motion to authorize Mayor McCoy to sign the ARRA Talcottville Improvements agreement for the construction, inspection and maintenance of the Talcottville enhancements. Motion carried unanimously.

- C 8. Request the Town Council authorize the Mayor Jason L. McCoy to sign the Memorandum of Agreement regarding the use of Federal Grant Funding and Custodial Ownership of Regional Assets from the State of Connecticut Department of Emergency Management and Homeland Security.**

PROPOSED RESOLUTION:

BE IT RESOLVED THAT THE TOWN OF VERNON MAY ENTER INTO WITH AND DELIVER TO THE STATE OF CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY ANY AND ALL DOCUMENTS WHICH IT DEEMS TO BE NECESSARY AND APPROPRIATE.

BE IT FURTHER RESOLVED THAT JASON L. MCCOY AS THE MAYOR OF THE TOWN OF VERNON IS AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER ANY AND ALL DOCUMENTS ON BEHALF OF THE TOWN OF VERNON AND TO DO AND PERFORM ALL ACTS AND THINGS WHICH HE DEEMS TO BE NECESSARY OR APPROPRIATE TO CARRY OUT.

Council Member Motola, seconded by Council Member Champagne made the above motion to authorize the Mayor Jason L. McCoy to sign the Memorandum of Agreement regarding the use of Federal Grant Funding and Custodial Ownership of Regional Assets from the State of Connecticut Department of Emergency Management and Homeland Security. Motion carried unanimously.

- C 9. Request the Town Council authorize the Mayor Jason L. McCoy to apply for and sign all documents relative to the Connecticut State Library, Historic Documents Preservation Grant. (See memorandum dated March 9, 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council.)**

PROPOSED RESOLUTION #1:

BE IT RESOLVED THAT MAYOR JASON L. MCCOY BE EMPOWERED TO EXECUTE AND DELIVER IN THE NAME OF AND ON BEHALF OF THIS MUNICIPALITY (TOWN OF VERNON) A CONTRACT WITH THE CONNECTICUT STATE LIBRARY FOR THE HISTORIC DOCUMENTS PRESERVATION GRANT.

Council Member Motola, seconded by Council Member Champagne made the above motion to authorize Mayor McCoy to execute and deliver a contract with the Connecticut State Library for the Historic Documents Preservation Grant. Motion carried unanimously.

PROPOSED RESOLUTION #2:

BE IT RESOLVED THAT THE TOWN OF VERNON HEREBY ADOPTS AS ITS POLICY TO SUPPORT NON-DISCRIMINATION AGREEMENTS AND WARRANTIES REQUIRED UNDER CONNECTICUT GENERAL STATUTES §4A-60(A)(1) AND §4A-60A (A) (1) AND 10(A) (1) OF PUBLIC ACT 07-142.

Council Member Motola, seconded by Council Member Champagne made the above motion to adopt as its policy to support Non-Discrimination agreements and warranties as required by statute. Motion carried unanimously.

C 10. Request the Town Council authorize two additional appropriations to the Parks and Recreation Department in the amount of \$13,735.00 for pool filling and \$18,094.00 for the community pool project.

PROPOSED MOTION #1:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$13,735.00 TO ACCOUNT 10560254-54130 – MAINTENANCE – WATER, TO COVER ADDITIONAL UTILITY WATER EXPENSE.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the appropriation in the amount of \$13,735.00 for pool filling. Motion carried unanimously.

PROPOSED MOTION #2:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$18,094.00 TO ACCOUNT 10560254-54390 – MAINTENANCE – OTHER REPAIR AND MAINTENANCE, TO COVER ADDITIONAL COMMUNITY POOL PROJECT EXPENSES.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the additional appropriation of \$18,094 to cover additional community pool project expenses. Motion carried unanimously.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

Council Member Motola, seconded by Council Member Etre made a motion to add the additional agenda item regarding a lease agreement for Talcottville School with the Crossroad Community Church of the Christian and Missionary Alliance, Inc. Motion carried unanimously.

H.) PENDING BUSINESS

1. **Discussion and Update on the previous meetings agenda item entitled 670 Dart Hill Road.** (See memorandum dated March 12, 2010 from Town Administrator John D. Ward. The requested log information from Mr. Abraham Ford will be on your table when you arrive on Tuesday.)

A chronological list of complaints and actions regarding 670 Dart Hill Road was presented by Mr. Tunderman to members of the Town Council. Discussion took place. Council Member Etre inquired if it would be feasible to request Planning and Zoning

Commission have a public hearing regarding the site plan request. Mayor McCoy responded that he would leave it up to the discretion of the Planning and Zoning commission. Council Member Herbst requested the Planning Department advise the Planning and Zoning Commission to have a public hearing on the site modification.

I.) NEW BUSINESS

1. **Discussion of Registrar of Voters recommendation of a voting district redistricting plan.** (Judith Beaudreau and Patty Noblet the Registrars of Voters will be present to discuss and answer questions.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE REDISTRICTING PLAN, TO REDUCE THE NUMBER OF POLLING PLACES FROM SIX (6) TO FOUR (4), EFFECTIVE IMMEDIATELY.

Council Member Krupinski, seconded by Council Member Herbst made the above motion to approve the Registrar of Voters recommendation of a voting district redistricting plan. Discussion took place. Ms. Beaudreau and Ms. Noblet presented the plan and answered questions from Town Council Members. Council Member Herbst requested the motion be amended to have a public hearing regarding this issue, motion failed no second. Original motion failed, Council Members Etre, Herbst, Schaefer, Motola, Champagne, Campbell and Thomas opposed, Council Member O'Shea abstained.

J.) INTRODUCTION OF ORDINANCES

None

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

ORDINANCE ITEM NO. TWO

ORDINANCE NO. _____, "AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY".

MOTION ONE:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, HEREBY MOVES TO REJECT **ORDINANCE NO. _____, "AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY".**

Council Member Etre, seconded by Council Member Schaefer made the above motion to reject Ordinance entitled ORDINANCE NO. _____, "AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY". Motion carried unanimously.

MOTION TWO:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ORDINANCE ENTITLED "**ORDINANCE NO. _____, AN ORDINANCE REQUIRING RESIDENTIAL RENTAL BUSINESS LICENSES**" AT 7:05 PM ON TUESDAY, APRIL 20, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

Council Member Etre, seconded by Council Member Krupinski made the above motion to schedule a public hearing regarding an ordinance entitled "Ordinance No.____, An Ordinance Requiring Residential Rental Business Licenses" on April 20, 2010 at 7:05 PM located at the Council Chambers. Discussion took place. Council Member Krupinski, seconded by Council Member Schaefer made a motion for an amendment to direct Administration to notify all registered property owners which this ordinance will have an impact on. Discussion took place. Motion failed, Council Members Etre, Herbst, Motola, Campbell, Champagne, Thomas and O'Shea opposed. Original motion carried, Council Members Herbst and Schaefer opposed.

RECESS (8:45 PM)

RECONVENE (8:54 PM)

ORDINANCE ITEM NO. ONE

"ORDINANCE NO. _____, an Ordinance entitled "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD".

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL MOVES TO ADOPT AN ORDINANCE ENTITLED "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD".

Council Member Etre, seconded by Council Member Champagne made the above motion to adopt an Ordinance entitled "Town of Vernon Energy Improvement District and Energy Improvement District Board." Discussion took place.

Council Member Krupinski made a motion for a friendly amendment to fix the following information in the ordinance:

- Section 1 (B) delete "of one or more" and "districts" replace with "extension or operation of the energy improvement district."
- Section 4 bullet 8 and section 7 Spell out EID = Energy Improvement District
- Section 5: add 2nd paragraph regarding notification of property owners
- Add a Section 8 for a sunset provision

Council Member Herbst, seconded by Council Member Schaefer made a motion for an amendment to change the mayor's voting status to ex-officio non-voting. Motion failed, Council Members Etre, Motola, Campbell, O'Shea, Thomas, Champagne, and Winkler opposed.

Original motion with Council Member Krupinski's amendments carried unanimously.

L.) DISCUSSION OF ADDITIONAL AGENDA ITEMS, Pulled consent items from f) AND PULLED ITEMS FROM O) INFORMATIONAL ITEMS, ETC

Council Member Krupinski, seconded by Council Member Schaefer made a motion to extend curfew until 10:20 PM, motion carried unanimously.

C 2. Request the Town Council continue their support and authorize the purchase of recycling totter containers; refuse totter containers; and automated side loading trucks. (A copy of a memorandum from DPW Director Robert Kleinhans to John D. Ward, Town Administrator and James Luddecke, Finance Officer, dated March 10, 2010; and a memorandum dated March 10, 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council are included for Council's review.)

PROPOSED MOTION # 1

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE LEASE PURCHASE OF 5,000 REFUSE TOTES CONTAINERS AND 3,070 RECYCLING TOTE CONTAINERS, FOR THE TOTAL OF 8,070 CONTAINERS, COMPATIBLE WITH THE AUTOMATED REFUSE AND RECYCLING COLLECTION, AS WELL AS HOT STAMP OPTION FOR 5,000 RECYCLING TOTE CONTAINERS; FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$450,000 ON A SEVEN YEAR LEASE WITH PAYMENTS NOT TO EXCEED \$77,000 PER YEAR; AND FURTHER (2) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT.

Council Member Motola, seconded by Council Member Champagne made the above motion to authorize the lease purchase of 5,000 refuse tote containers and 3,070 recycling tote containers for a total purchase price not to exceed \$450,000 on a seven year lease with payments not to exceed \$77,000 per year and authorizes the Mayor or his designee to execute any documents to complete the project. Discussion took place. Mr. Kleinhans was available to answer questions. Mayor McCoy requested the detailed information regarding the new refuse and recycling programs be sent to Council Member Herbst. Motion carried unanimously.

PROPOSED MOTION # 2

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE LEASE PURCHASE OF ONE NEW AUTOMATED SIDE LOADING TRUCK, COMPATIBLE WITH THE AUTOMATED REFUSE OR RECYCLING COLLECTION, FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$220,000 FINANCED THROUGH A CAPITOL LEASE WITH YEARLY PAYMENTS; AND FURTHER (2) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT.

Council Member Motola, seconded by Council Member Champagne made the above motion to authorize the lease purchase of one new automated side loading truck compatible with the automated refuse or recycling collection for a total purchase price not to exceed \$220,000 financed through a capitol lease with yearly payments and authorizes the Mayor or his designee to execute any documents to complete the project. Discussion took place. Motion carried, Council Member Schaefer abstained.

PROPOSED MOTION # 3

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE PURCHASE OF ONE ADDITIONAL USED AUTOMATED SIDE LOADING TRUCK, COMPATIBLE WITH THE AUTOMATED REFUSE OR RECYCLING COLLECTION, TO SERVE AS BACKUP EQUIPMENT FOR AUTOMATED REFUSE AND RECYCLING COLLECTION; FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$50,000; FURTHER (2) AUTHORIZE THE DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING UP TO \$50,000 FROM THE CRRA PROCEEDS SETTLEMENT TO THE USED AUTOMATED SIDE LOADING TRUCK; AND FURTHER (3) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT.

Council Member Motola, seconded by Council Member Thomas made the above motion to authorize the purchase of one additional used automated side loading truck compatible with the automated refuse or recycling collection to serve as backup equipment for the automated refuse and recycling collection for a total purchase price not to exceed \$50,000, designate available funds in the reserve for capital and non-recurring expenditures account, transfer up to \$50,000 from the CRRA proceeds settlement, and

authorizes the Mayor or his designee to execute any documents to complete this project. Discussion took place. Motion carried, Council Member Schaefer abstained.

MOTION #4

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9 OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE SEALED BID PROCEDURE FOR THE PURCHASE OF A USED 2002 PETERBILT CONDOR AUTOMATED SIDE LOADING TRUCK UP TO THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00) WHICH WAS AUTHORIZED IN THE PRIOR MOTION.

Council Member Motola, seconded by Council Member O'Shea made the above motion to waive the sealed bid procedure for the purchase of the automated side loading truck in the amount of \$50,000.00. Motion carried, Council Member Schaefer abstained.

C 7. Request the Town Council approve a Resolution entitled: "A Resolution adopting reimbursement for costs of qualified street lights within the Town of Vernon's residential condominium complexes and planned unit developments."

PROPOSED RESOLUTION:

RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF QUALIFIED STREET LIGHTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS AS SET OUT IN TOWN COUNCIL AGENDA CONSENT #7.

WHEREAS, there exist within the Town of Vernon, Residential Condominium Complexes and Planned Unit Developments ("Associations"), and

WHEREAS, there exist private streets and roads within an Association that provide access to residences, parking areas and driveways within the association along which exist streetlights metered and charged to said association to provide for the safety and security of it's residents while traveling on said roads and streets ("Qualified Streetlights"), and

WHEREAS, there exist as well within said associations common and individually metered lighting that provide lighting for walkways, driveways, parking lots, recreational areas and other limited use areas ("Non-Qualified Streetlights"), and

WHEREAS, the Vernon Town Council has determined as a matter of general equity and fairness to residential home owners that the cost of operation of Qualified Streetlights for the Associations within the Town of Vernon should be included, as part of the General Government Budget for Fiscal Year 2010-2011, and

WHEREAS, the total cost of operation of Qualified Streetlights for Fiscal Year 2010-2011 will be determined by the survey of the Qualified Streetlights.

NOW, THEREFORE, BE IT RESOLVED, that the Vernon Town Council hereby approves, for Fiscal Year 2010-2011, the inclusion of the sum to be determined based on the survey of the Qualified Streetlights in the General Government Budget for the operation of Qualified Streetlights for Residential Condominium Complexes and Planned Unit

Developments within the Town of Vernon to be paid to those Associations that submit their cost data and an itemization of the number and locations of all Qualified Streetlights

within their Association by April 15, 2010. The Town shall verify by June 1, 2010 the itemized locations are in fact Qualified Streetlights. Pursuant to this Resolution, Residential Condominium Complexes and Planned Unit Developments shall submit monthly invoices to the Finance Department, who in turn will pay the actual invoice up to the amount as specified on the data sheet supplied to the Town Assessor on or before June 30, 2010. In no event shall any amount submitted by Residential Condominium Complexes and Planned Unit Developments in excess of the amount submitted on or before June 30, 2011 be paid by the Town of Vernon. This Resolution shall be effective for Fiscal Year 2010-2011 only, subject to the adoption of said fiscal year budget. Appropriations for servicing the streetlights for Residential Condominium Complexes and Planned Unit Developments for future fiscal years shall require timely submission of streetlight cost data by the Associations and a continuing Resolution by the Vernon Town Council by December 31st for consideration in the next fiscal year's budget.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the above resolution adopting reimbursement for costs of qualified street lights within the Town of Vernon's residential condominium complexes and planned unit developments. Discussion took place. Motion carried, Council Members Herbst, Krupinski and Schaefer opposed.

ADDITIONAL AGENDA ITEM

Request the Town Council authorize the Mayor Jason I. McCoy to enter into a lease agreement for the Talcottville School with the Crossroad Community Church of the Christian and Missionary Alliance, Inc.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR JASON L. MCCOY TO ENTER INTO A LEASE AGREEMENT FOR THE LEASE OF THE TALCOTTVILLE SCHOOL TO THE CROSSROADS COMMUNITY CHURCH OF THE CHRISTIAN AND MISSIONARY ALLIANCE, INC., UPON TERMS AND CONDITIONS APPROVED BY THE TOWN ATTORNEY.

Council Member Motola, seconded by Council Member Champagne made the above motion to authorize the Mayor to enter into a lease agreement for the Talcottville School with Crossroad Community Church of the Christian and Missionary Alliance, Inc. Discussion took place. Council Member Herbst's daughter is part of the church and she wanted it known for the record that her voting on this issue is not considered a conflict of interest per her conversation with the Town Attorney. Council Member Krupinski requested the Administration provide information to the Planning and Zoning Commission informing them the Crossroad Community Church of the Christian and Missionary Alliance has the Town Council's permission to apply for a special permit. Motion carried unanimously.

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MARCH 2, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Etre, seconded by Council Member Krupinski made a motion to approve the minutes of the March 2, 2010 Regular Town Council meeting. Motion carried, Council Member Motola abstained.

N.) EXECUTIVE SESSION

None

O.) INFORMATIONAL ITEMS, Petitions, communications, correspondence, reports, etc. not requiring action

1. Building Department Monthly Report, February, 2010 as submitted by Harry Dan Boyko, Assistant Building Official.
2. Youth Service Bureau Monthly Report, January, 2010 as submitted by Alan M. Slobodien, Director.
3. EMS Monthly Report, February, 2010 as submitted by Jean Gauthier, EMS Coordinator.
4. Invitation to "The Stephen C. Marcham A Cappella Slam".
5. Letter to Chief James Kenny, Chairman of the Vernon Traffic Authority regarding the proposed one-way on Maple Street in front of Maple Street School.
6. Youth Service Bureau Monthly Report, February, 2010 as submitted by Alan M. Slobodien.
7. Town Clerk Monthly Report, February, 2010 as submitted by Town Clerk Bernice K. Dixon.

Adjourn (10:15 PM)

Council Member Etre, seconded by Council Member Krupienski made a motion to adjourn. Motion carried unanimously.

Received:

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary